

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF SEPTEMBER 27, 2005.

ATTENDANCE

COUNCIL: Randy Menard – Chair (District 9), Rob Stevenson – Vice Chair (District 8), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

ABSENT: Louis C. Benjamin, Jr. (District 4)

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk) and Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: L. J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Becky Lalumia (CFO), Pat Ottinger (Legal Counsel), Gail Smith (Administrative Services Department), Chief Randy Hundley (Police Department), Chief Robert Benoit (Fire Department), Tom Carroll (Public Works Department), Terry Huval (Utilities Department), Eleanor Bouy (Planning, Zoning & Codes Department), Melanie Lewis (Community Development Department)

COMMENCEMENT

(TAPE 1)(SIDE A)(000) AGENDA ITEM NO. 1: Call to order.

Councilmember Randy Menard called the Regular Lafayette City-Parish Council Meeting of September 27, 2005 to order.

(TAPE 1)(SIDE A)(001) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Chair Menard called upon Councilmember Marc Mouton to give the invocation and lead the pledge of Allegiance.

Menard announced that Councilmember Louis Benjamin was out of town. He also announced that Items 10, 12b, 12d, 12f, and 12h would be deferred to October 25, 2005.

(TAPE 1)(SIDE A)(043) AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

President Durel presented the following:

- Presented a key to the City of Lafayette to Brigadier General Doug Pritt, Oregon National Guard, and Col. Wendell McLain, Alabama National Guard, for their support in the relief effort from Hurricane Katrina and Hurricane Rita. In turn, General Pritt presented a book on the State of Oregon and a plaque to President Durel.
- Recognized Greg Davis, Cajundome Director, to give a report on the relief operations for evacuees at the Cajundome and the Convention Center. Davis began by thanking the Council and the Administration for their overwhelming support. He also thanked those who helped build the showers at the Cajundome. The Cajundome resources have been overwhelmed by the response and heightened by the amount of water penetration in the Cajundome and the number of evacuees from Hurricane Rita. The Cajundome is now housing approximately 1200 evacuees from Hurricane Rita plus 750 residents from Hurricane Katrina, who are housed in Shreveport and should return very soon. Another 150 evacuees should be registered into the Cajundome tonight with capacity for 850 more. Major challenges have been 1) severe water damage to evacuees' personal items, bedding and cots; 2) repair of the Cajundome roof; and 3) influx of evacuees from Hurricane Rita along with the return of evacuees from Hurricane Katrina from Shreveport. The Council thanked Davis and urged the public to donate blankets, pillows and air mattresses to the Cajundome along with financial assistance to the American Red Cross and volunteers.
- Upon questioning by Menard, Durel reported that RFPs for hurricane debris pickup were sent out prior to the storm, the proposals were opened and reviewed today and work should start almost immediately. Stanley added that the RFPs will require the first pickup to be completed within 15 days of the Notice to Proceed, the second pass within 10 days and a third pass within 5 days. F.E.M.A. will pay 100% of the cleanup up to 34 days.
- Upon questioning by Mouton, Carroll explained that this is a 1000 horsepower tub grinder (presently LCG has a 300 horsepower grinder). Discussions have been held with the owner

and a lease agreement is being worked out.

PUBLIC HEARING

(TAPE 1)(SIDE A)(366) AGENDA ITEM NO. 4: Convene the public hearing and Board of Review for all persons desiring to be heard on the assessed value of both real and personal property.

No assessment protests were received.

ORDINANCES FOR FINAL ADOPTION – ZONING

(TAPE 1)(SIDE A)(016) AGENDA ITEM NO. 5: O-219-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Donald J. Theriot, Case No. ZON2005-015 Donald Theriot Property Rezoning, located generally east of the intersection of East Pinhook and Gauthier Roads and west of Theriot Street, from R-1-C (Single and Two-Family Residential) to B-T(C) (Transitional Business – Conditional). *Item was deferred until October 25, 2005.*

(TAPE 1)(SIDE A)(019) AGENDA ITEM NO. 6: O-248-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Patricia Ducote Thibodeaux, Case No. ZON2005-018 207 Arceneaux Street Property Rezoning, located generally east of the intersection of Arceneaux Street and Hornsby Road, from R-1-A (Single-Family Residential) to R-1-B (Single-Family Residential), motion to adopt by Conque, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin, Broussard

ABSTAIN: None

Motion was unanimously approved.

Bouy explained that this is a simple rezoning from R-1-A to R-1-B. The applicant would like to subdivide this property into 2 single-family residential lots and does not have enough square footage in the R-1-A district. PZC thinks the rezoning is appropriate to give the additional square footage as the property is directly behind the L.U.S. water tower on Bertrand Drive and adjoins B-G property across Arceneaux Street. The property is heavily wooded and even rezoned and subdivided would create large lots than are currently existing in the neighborhood. The staff and the Zoning Commission recommend the rezoning. Conque urged support of the ordinance.

(TAPE 1)(SIDE A)(045) AGENDA ITEM NO. 7: O-249-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Euradell Broussard, Ophelia Broussard, Monica Fay Broussard, Ida M. Broussard, Paul Edward Broussard, and John Allen Broussard, Case No. ZON2005-019 Kaliste Saloom/Steiner Roads Property Rezoning, located generally north of the intersection of Kaliste Saloom and Steiner Roads, from B-1-L (Limited Business) to B-2-I(C) (Intermediate Business - Conditional), motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was unanimously approved.

Denise Womack, Planning Manager, explained that this vacant property is located on the corner of Kaliste Saloom and Steiner Roads. It was residential property and was reclassified to Limited Business several years ago. The applicant has requested a conditional rezoning to B-2-I in order to develop a garden center/plant nursery. It is adjacent to residential property and the applicant has submitted a site plan that the adjacent neighbor has reviewed and she is supportive of the rezoning. The staff and Zoning Commission recommend approval.

The following individuals were recognized:

John Broussard spoke in support of the ordinance.

Paula Manfre spoke in support of the ordinance as long as it's conditional.

Peter Mayeux, owner of All Seasons Nursery, stated this was going to be a great location for a

nursery and will be conducive to the area.

(TAPE 1)(SIDE B)(110) AGENDA ITEM NO. 8: O-250-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Paul B. Guchereau, Jr., Case No. ZON2005-020 Guchereau Property Rezoning, located generally north of the intersection of South College Road and Horseshoe Drive, from R-2 (Multi-Family Residential) to B-N (Neighborhood Business), motion to adopt by Conque, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was unanimously approved.

Jim Parker, Planner II, explained that this property is currently used for a day care. They recently purchased an apartment building behind their facility to extend the day care so they are requesting rezoning to B-N. The staff and Zoning Commission are recommending approval.

The following individual was recognized:

Laurie Bivins, Director of Guchereau Early Child Development Center, was available for questions.

(TAPE 1)(SIDE B)(054) AGENDA ITEM NO. 9: O-251-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Cheryl Larson Martin, Case No. ZON2005-021 Cheryl Martin Congress Street Property Rezoning, located generally south of the intersection of West Congress and Marie Antoinette Streets, from R-1-A (Single-Family Residential) to R-4 (Condominium, Townhouse, and Zero-Lot Line Homes), motion to deny by Conque, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was unanimously approved to deny.

Parker explained that this property is currently zoned R-1-A and is vacant. The request is to rezone to R-4 to allow the development of condominiums/townhouses. A rendering has been submitted. After review of the site, the staff and Zoning Commission denied the rezoning.

The following individuals were recognized:

Virgil New urged the Council to deny the rezoning.

Cheryl Martin, owner of the property, stated the building would be structurally sound, made of brick and stone and will be conducive to the area. She urged the Council to support the ordinance.

Rodney Naylor, surveyor for the project, requested the Council to support the ordinance saying that this project was similar to others in the area. He listed several advantages to the project.

Jeremy Arceneaux, designer of project, offered to answer any questions. Bourgeois inquired as to the parking accommodations. Arceneaux explained the parking would be single-car garages in the back of the structure with a common driveway.

Amy Giles Arceneaux signed in in support of the ordinance.

Conque urged denial of the rezoning because even though it is next to an R-4, that property has a single-family residence with expansion, that area of town is basically residential except for Lafayette High School and the structure is not compatible with its surroundings.

Ms. Martin rebutted stating that a letter went out to the area residents from PZC saying that vacant lots in this area had been improved over the last couple of years and that there were no townhouses or condominiums in this neighborhood.

APPEALS

(TAPE 1)(SIDE B)(631) AGENDA ITEM NO. 10: Consider appeal of Planning Commission action regarding Westfield Estates Subdivision (PC2005-0024). *Item was deferred.*

(TAPE 1)(SIDE B)(638) AGENDA ITEM NO. 11: Reconsideration of appeal of Planning Commission concerning Madeline Cove Subdivision (PC2005-0038). A motion was offered by Williams, seconded by Broussard to grant the appeal, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

ABSTAIN: None

Motion was unanimously approved.

Rebecca Raines, Planning Manager, explained this is an appeal of Planning Commission action. The development is located off of Madeline Street and is approximately 9 acres with 55 lots. The Planning Commission originally considered it in June where it was denied because there were a number of lots located in the floodway. The developer changed the plat, took the lots out of the floodway and met all conditions. The staff then recommended approval. At the July Commission meeting, there were only 4 commissioners. There was a motion to approve the plat with the conditions; however, they couldn't get a second to the motion, so it failed.

(TAPE 1)(SIDE B)(723) AGENDA ITEM NO. 12: REPORTS AND/OR DISCUSSION ITEMS

(TAPE 1)(SIDE B)(724)

a. Update on the new Animal Control Ordinance - specifically the chain length enforcement.
Item was deferred.

b. Status of regulations relating to operation of taxicabs and information previously requested.
Item was deferred.

(TAPE 1)(SIDE B)(729)

c. Recognize E. J. Beadle relating to the station located at 601 S. W. Evangeline Thruway.

Williams stated that there have been numerous complaints against this property and attempts have been made to notify the owner. Bouy added that Bobbie Smith, Sterling Properties, is acting on Mr. Beadle's behalf and ensured that the property would be secured immediately and feels certain that she has a potential contract on this property. Ms. Smith did say she would see to it that Mr. Beadle does secure the property within the next week. Bouy stated that the structure is sound and does not qualify for condemnation; however, it is still a community nuisance.

The following individual was recognized:

Fritz Muller listed several issues with the property and stated it was an eyesore. He is trying to lease his building but when potential clients see Mr. Beadle's property they change their minds.

Williams requested that this item be placed back on the agenda for October 25, 2005 and that Ms. Smith be present at that meeting.

d. Report from Gregg Gothreaux of L.E.D.A. regarding economic development on the northside of Lafayette. *Item was deferred.*

(TAPE 3)(SIDE A)(130)

e. Recognize Cornell Bodensteiner regarding Holiday Gardens Drainage.

Bodensteiner inquired as to when the drainage project would start. Carroll reported that the Drainage Supervisor has committed to immediately clean the portion between Patricia Ann and Brigante as soon as hurricane cleanup is finished. With respect to the downstream cleaning, a blanket Intergovernmental agreement was submitted to the City of Broussard to clean the ditch next to Albertson Parkway, which is in the City of Broussard. Upon questioning by Menard, Carroll stated that culverts are probably undersized and a meeting with Broussard officials will be called to discuss it. Menard requested that this item be

placed on the October 25, 2005 agenda.

The Clerk informed the Council that Harold Hoyt, Jaywood Domingue and Virginia Prine signed in but did not wish to speak. All support the project.

- f. Update on 9th Street Apartment abatement. *Item was deferred.*

(TAPE 3)(SIDE A)(421)

- g. Status of citations issued in downtown area in last 90 days.

The Police Chief submitted a written report to the Council.

- h. Discuss Lee Street apartments. *Item was deferred*

(TAPE 3)(SIDE A)(192)

- i. Discuss herbicide-spraying program in the Parish.

Broussard stated that he was concerned that, this late in the year, the herbicide program was not complete. He felt the contractor was not fulfilling his contract. Carroll reported that the first round of spraying is complete; however, there are some areas that were missed and one area that was skipped. Those issues have been addressed in writing and it has been determined that it does justify termination of the contract. He added that the contractor was given 70 days per application and that may be too much time. The second round has started and, again, the contractor has 70 days for the application. He assured the Council that the herbicide program would be bid out again next year and closer scrutiny would be given to the conditions of the contract. He offered a complete report to the Council by week's end on what has been done, the problems experienced, and the Drainage Supervisor's recommendation on whether or not to continue with the second application.

Broussard requested an introductory ordinance for the next Regular Council Meeting that would delete the funds appropriated for the rest of this contract. Menard requested that Legal Counsel review the contract for cause.

At this point, Menard informed Carroll that Todd Broussard contacted him to take his property off the list for spraying. Broussard is having erosion problems and is losing his bridge and trees. Bourgeois requested that the contractor finish the first round before starting the second round. He had some areas in his district that were not sprayed.

COMMENTS FROM THE PUBLIC

(TAPE 3)(SIDE A)(435) AGENDA ITEM NO. 13: Comments from the public on other matters. *No comments were made.*

ADJOURN

(TAPE 1)(SIDE A)(451) There being no further business to come before the Council, the Regular Council Meeting was adjourned.

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL